



AGENDA MEMO

CITY COUNCIL MEETING DATE: JUNE 6, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-20485 - APPLICANT: MELISSA OHLSSON - OWNER: UHLER FAMILY TRUST-SURVIVORS TRUST

**** CONDITIONS ****

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. This approval shall be void one year from the date of final approval, unless a business license has been issued to conduct the activity, if required, or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.
2. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

Public Works

3. Leave a 15-foot wide area east of the property line adjacent to this site on Bradley Road clear for trail purposes to accommodate the future Equestrian Trail called for in the Master Plan Recreation Trails Element, Exhibit 1. Construct the trail within 6 months after approval of this Special Use Permit. Coordinate with the City regarding trail requirements.
4. This site shall connect to public sewer; coordinate with the Collection Systems Planning Section of the Department of Public Works to determine appropriate public sewer paths to service this site prior to issuance of any permits or a business license, whichever may occur first.

** STAFF REPORT **

PROJECT DESCRIPTION

This application is for a Special Use Permit for an existing Horse Stable and Corral operating on the subject site at 8300 Bradley Road without a business license. The applicant applied for a business license following a notice of violation, but was informed that a Special Use Permit is required. The subject site is physically suitable for the type and intensity of land use. A waiver is requested to allow the corral to be seven feet from the front property line where 100 feet is required. Staff recommends approval on this waiver as the location of these facilities is at the farthest point from any adjacent residential homes.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
01/19/07	A Notice of Violation was issued by the Business Services division to the owner of the subject site for operating a horse stable/corral without a license.
04/26/07	The Planning Commission voted 70 to recommend APPROVAL (PC Agenda Item #10/rl).
<i>Related Building Permits/Business Licenses</i>	
No Building Permits nor Business Licenses are on file for this address.	
<i>Pre-Application Meeting</i>	
02/06/07	A pre-application meeting was held to discuss the Special Use Permit requirements including the site plan submission and parking requirements.
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required for this application nor was one held.	
<i>Field Check</i>	
03/22/07	A field check was conducted and the site was found to meet the requirements for the proposed Horse Corrals and Stables (Commercial) use, except for the Corral setback for which a waiver is requested.

<i>Details of Application Request</i>			
<i>Site Area</i>			
Gross Acres	2.16		
Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Single Family Residential; Horse Corrals and Stables (Commercial)	DR (Desert Rural Density Residential)	R-E (Residence Estates)
North	Undeveloped	DR (Desert Rural Density Residential)	R-E (Residence Estates)

South	Single Family Residential	DR (Desert Rural Density Residential)	R-PD2 (Residential Planned Development – 2 Units Per Acre)
East	Single Family Residential; Horse Corrals and Stables (Private)	DR (Desert Rural Density Residential)	R-E (Residence Estates)
West	City Park	PF (Public Facilities)	R-E (Residence Estates)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan		X	NA
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts		X	NA
Trails	X		Y
Rural Preservation Overlay District	X		Y
Development Impact Notification Assessment		X	NA
Project of Regional Significance		X	NA

- **Equestrian Trail**

An adjacent equestrian trail is proposed along the east property line. The trail is indicated on the proposed site plan, and conditions of approval address setting aside the fifteen foot corridor necessary, as well as a Covenant Running with Land agreement for future development of the trail.

DEVELOPMENT STANDARDS

Pursuant to Title 19.08

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	20,000 SF	94,250 SF	Y
Min. Lot Width	100 Feet	277 Feet	Y
Min. Setbacks – Main Dwelling			
• Front	50 Feet	93 Feet	Y
• Side	10 Feet	140 Feet	Y
• Corner	15 Feet	55 Feet	Y
• Rear	35 Feet	210 Feet	Y
Min. Setbacks – Accessory Structures			
• Rear	3 Feet	7 Feet	Y
• Side	3 Feet	5 Feet	Y
• Separation from house	6 Feet	38 Feet	Y
Max. Building Height	Lesser of 2 stories or 35 feet	1 story	Y

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Horse Corral	19 horses	1/5 horses	3	1	4	0	
Single Family Detached	1 unit	2 spaces/unit	2	0	4		
Total			6		8		Y

<i>Waivers</i>		
<i>Request</i>	<i>Requirement</i>	<i>Staff Recommendation</i>
Corral seven feet from the front property line.	100 foot front setback for corral or stables.	Approval

ANALYSIS

- Zoning**

The subject site is zoned R-E (Residence Estates) The Horse Corral or Stable (Commercial) Use is permitted in the R-E (Residence Estates) zone with a Special Use Permit. This application, if approved, is sufficient to meet this requirement.

- Use**

Title 19.04 defines the Horse Corral or Stable (Commercial) use as “A structure for the keeping of horses, mules or ponies which are boarded for compensation or for use in providing instructional or recreational activities for persons other than the occupants of the premises.

- Conditions**

Title 19.04 requires that stables or corrals be placed no more than five feet from any dwelling on an adjacent residential lot, and at least 100 feet from the front property line. All structures must meet the setback requirements of Title 19.08, and in no event shall any accessory structure be placed within five feet from any side or rear property line abutting a residential zoning district. The subject use meets all of these requirements except for the 100 foot setback from the front property line. The applicant requests a Waiver to allow the corral to be seven feet from the front property line where 100 feet is required.

FINDINGS

In order to approve a Special Use Permit application, per Title 19.18.060 the Planning Commission and City Council must affirm the following:

1. **“The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan.”**

The proposed Horse Corral or Stable (Commercial) Use is appropriate and harmonious with the surrounding area. Most of the adjacent residential parcels have large horse-related structures and facilities, and the subject site is adjacent to a proposed equestrian trail and an existing equestrian park.

2. **“The subject site is physically suitable for the type and intensity of land use proposed.”**

The subject site is physically suitable for the type and intensity of land use. A waiver is requested to allow the corral to be seven feet from the front property line where 100 feet is required. Staff recommends approval on this waiver as the location of these facilities are at the farthest point from any adjacent residential homes.

3. **“Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use.”**

The subject site is accessed via Bradley Road, an 80-foot collector street on the Master Plan of Streets and Highways. This provides adequate access to the subject site with no negative traffic impact.

4. **“Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan.”**

The approval of this Special Use Permit on the subject site will not be inconsistent with nor will it compromise the public health, safety and welfare as the property will be subject to business licensing requirements and inspections. The proposed use supports the overall objectives of the General Plan for this location.

5. **The use meets all of the applicable conditions per Title 19.04.**

With the approved waiver to allow the corral to be seven feet from the front property line where 100 feet is required, the property meets all applicable Title 19.04 conditions for this Special Use Permit.

PLANNING COMMISSION ACTION

Condition #3 was amended by Planning Commission as shown.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 2

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 121 by City Clerk

APPROVALS 0

PROTESTS 0